

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIAM MAMOUNIS,	:	Case No. 4:05 CV 2880
	:	
Petitioner,	:	
	:	JUDGE KATHLEEN O'MALLEY
v.	:	
	:	
MARC HOUK, Warden	:	<u>ORDER</u>
	:	
Respondent.	:	

William Mamounis has petitioned this Court for a writ of habeas corpus pursuant to 28 U.S.C. §2254. In his petition, Mamounis challenges the constitutional sufficiency of his state court conviction for theft from an elderly person on four grounds. Mamounis's petition was referred to Magistrate Judge William H. Baughman, Jr., pursuant to 28 U.S.C. §636 and Local Rule 72.2(b)(2).

Upon review of the parties' submissions, the magistrate judge issued an extensive Report and Recommendation ("R&R") (Doc. 18), in which he recommends that Mamounis's claim that his conviction was against the manifest weight of the evidence (in Grounds One and Two) be dismissed as non-cognizable. The magistrate judge further recommends that Mamounis's claim that his conviction was not supported by sufficient evidence (also found in Grounds One and Two) be denied because the state court decision to the contrary was not an unreasonable application of clearly established federal law. Finally, the magistrate judge recommends that Mamounis's claims that the trial was "unfair" (Ground Three) and that he has been unconstitutionally imprisoned for a debt (Ground Four) should both be dismissed as waived since neither claim was fairly presented to Ohio courts on direct appeal and no further state remedies are available. In sum, Magistrate Judge Baughman recommends that each ground of Mamounis's petition be either dismissed or denied.

Mamounis has not filed any objections to the R&R. Because, after its *de novo* review, the Court reaches the same conclusions as the magistrate judge, no further articulation of its reasoning is required. Tuggle v. Seabold, 806 F.2d 87, 92-93 (6th Cir. 1986). Accordingly, the Court hereby **ADOPTS** the magistrate judge's R&R. Mamounis's petition is **DENIED** and his case, is **DISMISSED**.

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: November 21, 2007